

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

AFFYMETRIX, INC.,

Plaintiff/Counter-  
Defendant,

v.

ILLUMINA, INC.,

Defendant/Counter-  
Plaintiff.

C.A. No. 04-901-JJF

**NOTICE OF SUBPOENA OF ARNOLD OLIPHANT**

PLEASE TAKE NOTICE that the Subpoena attached hereto as Exhibit 1  
will be served upon Arnold Oliphant, 1563 W. Erda Way, Tooele, Utah 84074.

MORRIS, NICHOLS, ARSHT & TUNNELL

*/s/ Melissa Myers*

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Maryellen Noreika (#3208)  
Melissa Myers (#3985)  
1201 N. Market Street  
P.O. Box 1347  
Wilmington, DE 19899  
(302) 658-9200  
*Attorney for Plaintiff*

December 8, 2005

**UNITED STATES DISTRICT COURT**

DISTRICT OF UTAH

**AFFYMETRIX, INC.,**

Plaintiff/Counter-Defendant,

v.

**ILLUMINA, INC.,**

Defendant/Counter-Plaintiff.

**SUBPOENA IN A CIVIL CASE**

Civil Action No: 04-901 (JJF)

Pending in the United States District Court for the District of Delaware

**To:** Arnold Oliphant  
 1563 W. Erda Way  
 Tooele, Utah 84074

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

☒ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case. See Exhibit A

PLACE OF DEPOSITION Salt Lake City Marriott City Center 220 South State Street Salt Lake City, Utah, 84111	DATE AND TIME January 11, 2005 10:00 a.m.
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☐ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects).

PLACE	DATE AND TIME
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☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
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ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

  
 Attorney for Plaintiff

DATE

December 8, 2005

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Melissa Myers  
 MORRIS, NICHOLS, ARSHT & TUNNELL  
 1201 North Market Street, P.O. Box 1347  
 Wilmington, DE 19899

TELEPHONE

(302) 658-9200